

City of Dunkirk
Citizen Participation Plan for the
Community Development Block Grant (CDBG) Program

Introduction

This Citizen Participation Plan serves as a guide for the how the City of Dunkirk will involve citizens in the process of developing the 5-year Consolidated Plan, Annual Action Plans, and Consolidated Annual Performance and Evaluation Reports. The City of Dunkirk is required by law to follow a detailed Citizen Participation Plan that describes the City's policies and procedures for public involvement in the Consolidated Plan process and the use of Community Development Block Grant (CDBG) funds. This Citizen Participation Plan must be available to the public.

Encouraging Public Participation

The law requires that our Citizen Participation Plan both provide for and encourage public participation in the development and substantial amendments of the 5-year Consolidated Plan, Annual Action Plans, and Consolidated Annual Performance and Evaluation Reports. This involvement is designed to emphasize involvement by low and moderate-income people, especially those living in low and moderate-income neighborhoods chosen as target areas for the 5-year Consolidated Plan. Also, the U.S. Department of Housing and Urban Development (HUD) expects the City of Dunkirk to take whatever actions are appropriate to encourage participation of minorities, non-English speaking persons, and persons with mobility, visual or hearing impairments.

The City of Dunkirk encourages the participation of residents of public and assisted housing developments and recipients of tenant-based assistance in the process of developing and implementing the consolidated plan, along with other low-income residents of targeted revitalization areas in which developments are located. The City of Dunkirk shall make an effort to provide information to the housing agency about consolidated plan activities related to its developments and surrounding communities that the housing agency can make available in the annual public hearing required for the Public Housing Agency Plan.

Copies of the Citizen Participation Plan as well as summaries of basic information about CDBG and the Consolidated Planning process will be made available, upon request to the City of Dunkirk Department of Development, in a format to be understood by persons with visual impairments and by non-English speaking persons.

The Role of Low Income People

The primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing decent housing, a suitable living environment, and growing economic

development opportunities, principally for low and moderate income people. The City of Dunkirk will encourage the participation of all citizens in the Consolidated Plan process. The City has identified the following types of groups that relate to the primary purpose to be particularly targeted for outreach efforts when developing the Consolidated Plan and the Annual Action Plans:

- Persons who do not speak English
- HIV/AIDS service providers
- Homeless and homeless service providers
- Mental Health agencies/organizations and clients
- Private housing developers/banks/Fair Housing Council of WNY
- Residents of assisted housing
- Elderly and elderly service providers
- Public Housing residents and the Dunkirk Housing Authority
- Community Development Corporations
- Health Department and the Division of Lead Abatement
- Service providers for persons with disabilities
- Youth service providers

Since the amount of federal CDBG money allocated to Dunkirk each year is mostly based upon the severity of both poverty and substandard housing conditions in Dunkirk, it is necessary that public participation genuinely involve low income residents who experience these conditions. Genuine involvement by low income people must take place at all stages of the process, including identifying needs, setting priorities amongst those needs, suggesting how much money should be allocated to each high priority need, and suggesting the types of programs to meet high-priority needs, as well as, overseeing the way in which the programs are carried out.

Displacement

Although the City of Dunkirk Department of Development attempts to minimize the displacement of persons by concentrating housing efforts on those that are currently vacant or require minimal intervention, the department outlines services to be provided to households displaced as a result of HUD-assisted activities or the Division of Code Enforcement actions that designate a structure to be unfit for habitation. Services include assistance in identifying alternative housing and payments of benefits based upon federal guidelines. All displacement/relocation services and benefits provided as a result of HUD-assisted activities will be in accordance with Section 104 of the Housing and Community Development Act or the Uniform Relocation Act, and with the direction of staff of the Department of Development.

Selected Stages of the Consolidated Plan Process

1. CDBG request for proposals are distributed to agencies, organizations, and other individuals/agencies/organizations that have requested to be added to a mailing list. Availability is also advertised in a legal notice which is placed in the Dunkirk Observer newspaper and on the City website.
2. Public hearing(s) are held to determine the views of citizens on housing and community development needs, including priority non-housing community development needs. This occurs before the draft Annual or Consolidated Plan is published for comment.
3. A Technical Assistance meeting is held prior to the CDBG application deadline to assist interested applicants with developing proposals for funding assistance. This meeting is advertised in a legal notice in the Dunkirk Observer newspaper and on the City website.
4. A review committee consisting of the Mayor, Director of Development, and CDBG Administrator will review all applications, prioritize applications, and prepare budget recommendations for the Common Council of the City of Dunkirk.
5. A draft Action Plan or Consolidated Plan is presented to the Common Council to determine any recommendations. The draft Action Plan or Consolidated Plan is released for a 30-day public comment period and mailed to other local jurisdictions, the Continuum of Care, Dunkirk Housing Authority, and other interested individuals/organizations.
6. A Public Hearing is held, sponsored by the City of Dunkirk Department of Development, where the draft Action Plan or Consolidated Plan is available for public review and comment. Citizens are encouraged to comment at the public meeting and during the 30-day comment period.
7. The City of Dunkirk Common Council holds a Public Meeting and makes formal approval of the final Action Plan or Consolidated Plan.
8. After a program year is complete, a Consolidated Annual Performance and Evaluation Report will be drafted by the Department of Development and released for a 15-day public comment period. At the end of the public comment period a public hearing will be held to present the final CAPER to the public.

Public Notice

Items Covered by the Public Notice Requirement

There shall be advanced public notice once a federally required document is available, such as the draft Action Plan or 5-year Consolidated Plan, any proposed substantial amendments to the Action Plan or Consolidated Plan, and the Consolidated Annual Performance and Evaluation Report.

In addition, there shall be advanced public notice of all public meetings or hearings relating to the funds or planning process covered by this Citizen Participation Plan.

Adequate Public Notice

Adequate advance notice is timely; it is given with enough lead-time for the public to take informed action. Although the amount of lead-time can vary, depending on the event, a standard 7 days notice will be provided for all public meetings or hearings, unless otherwise specified. Specific amounts of time are given for different events later in this Citizen Participation Plan. The content of notices will give residents a clear understanding of the event being announced as well as a summary of its contents, purpose and location of availability of a document being discussed.

Forms of Public Notice

1. Public notices will be published in legal section of the Dunkirk Observer.
2. Public notices will be published on the City of Dunkirk website and Municipal Calendar.
3. Notice will also be given through letters or flyers to area agencies, neighborhood organizations, public housing resident groups, religious organizations in lower income neighborhoods, and agencies providing services to lower income people.
4. Notice will be sent to any person or organization requesting to be on a mailing list. Anyone interested in being added to the mailing list should contact the City of Dunkirk Department of Development.

Public Access to Information

Citizens, public agencies, and other interested parties, including those most affected, must have the opportunity to receive information, review and submit comments on any proposed submission concerning the proposed activities, including the amount of assistance the jurisdiction expects to receive, and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income.

The City of Dunkirk will provide the public with reasonable and timely access to information and records relating to the data or content of the Action Plan or Consolidated Plan, as well as proposed, actual, and past use of funds covered by this Citizen Participation Plan. Regarding the past use of funds, reasonable public access will be given to records about any uses of these funds during the previous five years.

Also, the City of Dunkirk will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds.

Standard Documents

Standard documents include the draft and final Action Plans, the draft and final 5-year Consolidated Plan, draft and final Substantial Amendments to either an Action Plan or Consolidated Plan, Consolidated Annual Performance and Evaluation Reports, and the Citizen Participation Plan.

Availability of Standard Documents

In the spirit of encouraging public participation, copies of standard documents will be provided to the public at no cost and within three working days of a request for all standard documents. These materials will be available in a form accessible to persons with disabilities, when requested.

Places Where Standard Documents are Available

Standard documents will also be available at the City of Dunkirk Department of Development, City Hall Clerk's Office, the Dunkirk Free Library, and on the City of Dunkirk website.

Public Hearings

The City must provide for at least two public hearings per year in order to obtain the public's views and to provide the public with the City's responses to public questions and proposals.

Public hearings held by the City of Dunkirk will address housing and community development needs, review the proposed use of funds, and review how funds were spent during the previous program year. The City of Dunkirk will hold at least one public hearing before the draft Action Plans or Consolidated Plan is published to obtain the views of citizens on housing and community development needs, including priority non-housing community development needs. A final public hearing will be held after the 15-day public comment period of the Consolidated Annual Performance and Evaluation Report.

Access to Public Hearings

Public hearings will be held only after there is adequate notice, as described in the section titled "Public Notice" of this Citizen Participation Plan, including display advertisement in the legal section of the newspaper seven days prior to the public hearing.

Public hearings will be held at a variety of times that are convenient to multiple sections of the population in order, such as after normal business hours.

Public hearings will be held at places not only accessible by automobile and otherwise convenient to most people who might benefit from the use of funds, but also accessible by persons with disabilities.

Public Hearings and Populations with Unique Needs

All public hearings will be held at locations accessible to people with disabilities, and provisions will be made for people with hearing or sight disabilities when requests are made at least five working days prior to a hearing.

Translators will be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

The Conduct of Public Hearings

Each resident choosing to speak is allowed a maximum of five minutes to make a verbal presentation in order to allow everyone who wishes to speak a chance to do so. Comment cards will also be available for those wishing to make comments, but not verbal presentations. Written comments can be made to the City of Dunkirk Department of Development, City Hall, 342 Central Avenue, Dunkirk, New York, 14048.

The Stages in the Process

A. Identifying Needs

Because the housing and community development needs of low and moderate-income people are so great and so diverse, the priorities must be set in order to decide which needs should get more attention and more resources than other needs. This is the basic reason for the 5-year Consolidated Plan.

At least one public hearing about needs will be completed before a draft Action Plan is published for comments so that the needs identified can be considered by the City and addressed in the draft Action Plan.

B. The Proposed Action Plan and 5-year Consolidated Plan

The law that provides the funds covered by this Citizen Participation Plan calls for improved public accountability of jurisdictions. In that spirit and in compliance with the terms of the law, the City of Dunkirk will use the following procedures.

Request for Proposals

The Department of Development will provide organizations/agencies with an application (request for proposal) for funding through CDBG monies. The applications will be sent out and notification given to the public through the manner described in the “Public Notice” section of this Citizen Participation Plan. Applicants will be given at least four weeks to complete the request for proposal and return it to the Department of Development.

General Information

In the request for proposal, the City of Dunkirk will provide the public with an estimate of the amount of CDBG funds it expects to receive in the upcoming year, along with a description of the range of types of activities that can be funded with these resources. The estimated amounts and range of activities available to receive funding will also be provided in the legal notice of the newspaper.

Technical Assistance

City of Dunkirk Department of Development staff will work with organizations and individuals representative of low and moderate-income people who are interested in submitting a proposal to obtain funding for an activity.

A Technical Assistance meeting is held prior to the CDBG application deadline to assist interested applicants with developing proposals for funding assistance. This meeting is advertised in a legal notice in the Dunkirk Observer newspaper and on the City website.

Availability of a Draft Action Plan and Draft Consolidated Plan

The City of Dunkirk will notify the public that a draft Action Plan or draft Consolidated Plan is available. The means of notice described earlier in this Citizen Participation Plan will be used.

The date the draft Action Plan/Consolidated Plan is available to the public will be at least 30 days prior to the date a Final Action Plan/Consolidated Plan is approved by the Mayor and City Council so that low and moderate-income people will have a reasonable opportunity to examine it and submit comments. Copies of the draft Action Plan/Consolidated Plan will be mailed to other local jurisdictions, the Continuum of Care, Dunkirk Housing Authority, and other interested individuals/organizations serving low and moderate-income persons.

So that low and moderate-income people can determine the degree that they might be affected, the draft Action Plan/Consolidated Plan will be complete, containing: all HUD-required sections; the HUD-required Priorities Tables; and a written description of all proposed uses of CDBG. At a minimum, the written description shall include the type of activity, its location, the amount of federal money to be allocated for the activity, and the amount of money allocated to benefit low and moderate-income individuals.

Copies of the draft Action Plan/Consolidated Plan will be made available to the public to view at the Department of Development. In addition, copies will be made available at the locations specified above in the section "Public Access to Information".

Public Hearings and Further Action

The City of Dunkirk will hold at least one public hearing before the draft Action Plan is published to obtain the views of citizens on housing and community development needs, including priority non-housing community development needs. The City will hold at least two public hearings before the draft Consolidated Plan is published. Department of Development will conduct a public meeting to release the draft Action Plan/Consolidated Plan and the summary of the plans, receive comments on the proposed activities seeking funding, and begin the 30-day

public comment period. After the 30-day public comment period, the Common Council will adopt the final Action Plan.

In preparing a final Action Plan/Consolidated Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at a public hearing or submitted in writing during the review and comment period. The final Action Plan/Consolidated Plan will have a section that presents all comments, plus explanations why any comments were not accepted.

C. The Final Action Plan and 5-year Consolidated Plan

Copies of the final Action Plan/Consolidated Plan and its summary will be made available to the public at no charge and within three working days of a request. In addition, copies will be available at the locations specified in the section “Public Access to Information”.

D. Amendments to the Action Plan and 5-year Consolidated Plan

The final Action Plan/Consolidated Plan will be amended any time there is: (1) a change in one of the Priorities presented on the HUD-required Priority Table; (2) a change in the purpose, location, scope, or beneficiaries of an activity (described more fully below). The public will be notified whenever there is an amendment per the “Public Notice” section of this Citizen Participation Plan.

Substantial Amendments

1. A change in the use of CDBG money from one activity category to another activity category.
2. The elimination of a project originally described in the Action Plan/Consolidated Plan.
3. The addition of a project not originally described in the Action Plan/Consolidated Plan.
4. A meaningful change in the location of an activity.
5. A change in the type or characteristics of people expected to benefit from an activity.
6. A change in the scope of any project, such that there is a 20% increase or decrease in the amount of money allocated to the project.

Public Notice and Public Hearing for Substantial Amendments

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following specifically for Substantial Amendments:

1. Once citizens have been provided with reasonable notice of any Substantial Amendment to the Action Plan or Consolidated Plan, a 30-day comment period will begin.

2. A detailed written description of the proposed Substantial Amendment will be made available to the public at no cost within three working days of a request. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under “Public Access to Information”.
3. In preparing a final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony or submitted in writing during the review and comment period. The final Substantial Amendment will have a section that presents all comments, plus explanations why any comments were not accepted.

E. The Consolidated Annual Performance and Evaluation Report

Every year the City of Dunkirk must send to HUD a Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days of the close of the program year. In general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefited low and moderate-income people.

Public Notice and Public Hearing for CAPER

There must be reasonable notice that a CAPER is available so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the follow procedures specifically for CAPERs:

1. Once citizens have been provided with reasonable notice of the CAPER a 15-day public comment period will begin.
2. A complete copy of the CAPER will be made available to the public at no cost within three working days of a request. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under “Public Access to Information”.
3. There will be a public hearing conducted by the City of Dunkirk Department of Development regarding the CAPER.
4. This public hearing will not take place until the public has had 15 days to review and comment on the CAPER.
5. In preparing a CAPER, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The CAPER will have a section that presents all comments, plus explanations why any comment were not accepted.

Contents of the CAPER

The CAPER presented to the public will contain at least as much detail as was required by HUD for Grantee Performance Reports. The CAPER will have an accounting for each activity in any

Action Plan, until an activity is officially “closed-out” or “re-programmed” with HUD by the City of Dunkirk. For each activity the details presented will include, but are not limited to:

1. Activity Number from the Action Plan.
2. Name of the Activity plus its HUD “Activity Title” with regulation reference.
3. A description of an activity that is in enough detail for the public to have a clear understanding of the nature of the activity.
4. The name of the entity carrying out the activity.
5. The location of that activity
 - a. Generally, this should be a street address or some other information showing specifically where the activity was (or is) being carried out.
 - b. For public facility activities such as street reconstruction, location includes a specific street address providing the beginning and end points.
 - c. For specific activities claiming to meet the “area wide benefit test”, the location should also include the census tracts making up the service area of the activity. Also, the percentage of low/moderate-income persons in the service area will be indicated.
 - d. For multi-family housing activities, the address of each building and the number of units in the building both before and after assistance will be given.
6. The description of economic development activities will include: the amount of the loan, and the number of full-time permanent jobs to be created and/or retained.
7. Float Loan Funded activities should be clearly identified as such.
8. The date the activity was initially funded.
9. The national objective the activity claims to meet.
10. The status of an activity, such as whether it is completed, underway, or canceled.
11. The amount of dollars budgeted and the amount spent. The amount spent shall be given for the year, and separately for the life of the activity to date.
12. The accomplishments for the activity should be a description of what was actually done, including numerical measures when appropriate, such as the number of units of housing rehabbed, number of individuals or households served.
13. For activities that provide a direct benefit to individuals or households show: the number of individuals or households served; the number which were moderate income; the number which were low income; the number which were White, African American, Hispanic, or Asian.

Complaint Procedures

Written comments regarding the 5-year Consolidated Plan or Action Plan, Substantial Amendments, or the Consolidated Annual Performance and Evaluation Report can be sent to the City of Dunkirk Department of Development. Written complaints from the public will receive a meaningful, written reply within 15 working days upon receipt.

Amendments to the Citizen Participation Plan

There must be reasonable notice of a proposed amendment to this Citizen Participation Plan so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following specifically for Amendments to the Citizen Participation Plan:

1. Once citizens have been provided with at least 5 business days public notice of any Amendment to the Citizen Participation Plan, a 30-day comment period will begin. This notice shall be published in the Dunkirk Observer in the legal section of the newspaper.
2. A detailed written description of the proposed Amendment will be made available to the public at no cost within three working days of a request. Also, copies will be available at the locations indicated earlier in this Citizen Participation Plan under “Public Access to Information”.
3. In preparing a final Citizen Participation Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony or submitted in writing during the review and comment period.